No. 67 STATE OF MICHIGAN

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House of Representatives

97th Legislature REGULAR SESSION OF 2014

House Chamber, Lansing, Wednesday, September 17, 2014.

1:30 p.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Abed—present
Banks—present
Barnett—present
Bolger—present
Brinks—present
Brown—present
Brunner—present
Bumstead—present
Callton—present
Cavanagh—present
Clemente—present
Cochran—present
Cotter—present
Crawford—present
Daley—present
Darany—present
Denby—present
Dianda—present
Dillon—present
Driskell—present
Durhal—present
Faris—present
Farrington—present
Forlini—present
Foster—present
Franz—present
Geiss—present

Glardon—present Goike—present Graves—present Greimel—present Haines—present Haugh—present Haveman—present Heise—present Hobbs—present Hooker—present Hovey-Wright—present Howrylak—present Irwin—present Jacobsen—present Jenkins—present Johnson—present Kandrevas—present Kelly—present Kesto-present Kivela—present Knezek—present Kosowski—present Kowall—present Kurtz—present LaFontaine—present Lamonte—present Lane—present Lauwers—present

LaVoy—present Leonard—present Lipton—excused Lori—present Lund—present Lyons—present MacGregor—present MacMaster—present McBroom—present McCann—present McCready—present McMillin—present Muxlow—present Nathan—present Nesbitt—present O'Brien—present Oakes—present Olumba—absent Outman—present Pagel—present Pettalia—present Phelps—present Poleski—present Potvin—present Price—present Pscholka—present Rendon—present

Robinson—present Rogers—present Rutledge—present Santana—present Schmidt—present Schor—present Segal—present Shirkey—present Singh—present Slavens—present Smiley—present Somerville—present Stallworth—present Stamas—present Stanley—present Switalski—present Talabi-present Tlaib—present Townsend—present VerHeulen—present Victory—present Walsh—present Yanez—present Yonker—present Zemke—present Zorn—present

Roberts—present

Genetski-present

Pastor Byron C. Moore, Senior Minister of Vernon Chapel AME Church in Flint, offered the following invocation:

"Heavenly Father,

It is into Your divine presence that we come on this day to conduct the business of Your people. Grant us the wisdom to know what is right and the courage to do what is right. Father we pray this morning for Your richest blessings to fall fresh upon this state legislature, that in all that is transacted, Your spirit is reflected. Father, You know our needs collectively and individually. You Father, are intimately acquainted with our hearts, so wherever You have been excluded, we invite You in. Wherever, You have been diminished, we magnify You and wherever we have neglected to acknowledge You, we glorify You now. May the work that is done in this chamber bring life to those who are simply existing, hope to those who are on the brink of giving up, and unity to those who find themselves in heated division. Let Your will reign in this chamber, and we give You thanks, honor, and praise. It is in the matchless name of Jesus I lift this prayer, AMEN!"

The Speaker called Associate Speaker Pro Tempore Cotter to the Chair.

Rep. Rutledge moved that Rep. Lipton be excused from today's session. The motion prevailed.

Motions and Resolutions

Reps. Switalski, Barnett, Brown, Faris, Geiss, Hovey-Wright, Howrylak, Kowall, Lamonte, LaVoy and Slavens offered the following resolution:

House Resolution No. 410.

A resolution to declare September 15-19, 2014, as Mental Health No Stigma Week in the state of Michigan.

Whereas, It is in the best interest of the United States to increase awareness regarding the negative stigma associated with mental illness; and

Whereas, Stigma is a very real problem for people who have a mental illness; and

Whereas, Every person needs and deserves to feel a sense of belonging and not be excluded or ostracized; and

Whereas, The most formidable obstacle to future progress in the area of mental health is stigma and today the United States has the power to tear down that obstacle; and

Whereas, Throughout the United States, there are efforts by public and private mental health agencies that work tirelessly to educate the public about the harmful effects of stigma; and

Whereas, Some of the harmful effects of stigma include trying to pretend nothing is wrong, refusal to seek treatment, rejection by family and friends, work or school problems or discrimination, difficulty finding housing, being subjected to physical violence or harassment, and inadequate health insurance coverage of mental illnesses; and

Whereas, One in 4 adults, approximately 61,500,000 people in the United States, experiences mental illness in a given year and 1 in 17, approximately 13,600,000, live with a serious mental illness; and

Whereas, Approximately 20 percent of youth ages 13 to 18 and approximately 13 percent of those ages 8 to 15 experience severe mental disorders in a given year; and

Whereas, While 1 in 5 people in the United States lives with a mental disorder, estimates indicate that nearly two-thirds of all people with a diagnosable mental illness do not seek treatment, especially people from diverse communities; and

Whereas, Despite civil rights laws, such as the Americans with Disabilities Act of 1990, people with mental illnesses often experience discrimination in education, housing, health care, and the workplace; and

Whereas, According to the Michigan Mental Health and Wellness Commission's report of 2013, a public education campaign can improve the public's awareness of unmet needs and reduce the harmful effects of stigma and discrimination; and

Whereas, The September 15-19 is an appropriate week to designate as Mental Health No Stigma Week; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15-19, 2014, as Mental Health No Stigma Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brinks, Barnett, Brown, Crawford, Geiss, Heise, Hovey-Wright, Howrylak, Kowall, Lamonte, LaVoy and Slavens offered the following resolution:

House Resolution No. 411.

A resolution to declare October 2014 as Breast Cancer Awareness Month in the state of Michigan.

Whereas, October has long been recognized across America as Breast Cancer Awareness Month in an effort to raise public awareness about the importance of early detection; and

Whereas, In 2013, it was estimated that among U.S. women, there will be 232,670 new cases of invasive breast cancer and 62,570 new cases of in situ breast cancer along with 40,000 breast cancer deaths; and

Whereas, According to the Michigan Department of Community Health, breast cancer is the second leading cause of cancer deaths in Michigan and the most commonly diagnosed cancer in Michigan women; and

Whereas, In 2011, 7,329 women in Michigan were newly diagnosed with invasive breast cancer and 1,426 women died of the disease; and

Whereas, The five year survival rate among women whose breast cancer has not spread beyond the breast at the time of diagnosis is 99 percent; and

Whereas, All women are at risk for breast cancer and the two most important risk factors are being female and getting older; and

Whereas, Since the inception of Breast Cancer Awareness Month in 1985, mammography use across America has doubled and breast cancer death rates have declined; and

Whereas, Efforts to promote increased mammography screening have resulted in the third Friday in October being declared National Mammography Day; and

Whereas, Even with impressive progress, many women do not utilize mammography or other recommended testing methods at regular intervals before physical symptoms can be seen or felt. Breast cancer deaths could decline further if all women age 40 and older received recommended screenings at regular intervals; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2014 as Breast Cancer Awareness Month in Michigan; and be it further

Resolved, That the members of this legislative body urge all Michiganders to use this month as an opportunity to educate themselves about breast cancer and take proactive steps to reduce their risks and get appropriate screenings.

The question being on the adoption of the resolution,

Rep. Stamas moved that consideration of the resolution be postponed for the day. The motion prevailed.

Reps. Howrylak, Barnett, Brown, Geiss, Heise, Hovey-Wright, LaVoy and Slavens offered the following resolution: House Resolution No. 412.

A resolution to declare October 2014 as Filipino-American Heritage Month in the state of Michigan.

Whereas, We are proud to join with the Filipino-American community of Michigan as they celebrate contributions they have made throughout the entire state. This recognition is a reflection of unselfishness and commitment to the common good that is most commendable; and

Whereas, It is with pride and gratitude that we welcome this opportunity to salute the many ways in which the Filipino-American community has given its time and energy for the betterment of our state; and

Whereas, The Filipino-American community of Michigan continues to foster understanding through the development, promotion, and preservation of Filipino values, culture, and tradition. These concerned citizens have truly made a difference, and their professional and civic involvement will continue to enrich our state; and

Whereas, The members of the Filipino American community give to the American people and to the citizens of Michigan a very important gift of a rich culture based on traditional values of family, religion, and a strong work ethic. A strong political, cultural, and economic bond exists between us as a result and is cemented by the mutual respect and admiration we have for one another; and

Whereas, The heritage of the Filipino people enriches our own culture, for America is a melting pot and America's culture is a rich blend of many cultures. This legislative body welcomes the heritage, culture, and contributions of the Filipino-American community to our state and our nation; and

Whereas, Like their counterparts across the country, the Filipino-American community in Michigan is committed to strengthening the public institutions that promote the cultural heritage of Filipinos, as well as eliminating prejudices, stereotypes, and ignorance. By promoting awareness of Filipino-American contributions to social, economic, cultural, and political life in the United States, everyone can take great pride in their effective community service; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2014 as Filipino-American Heritage Month in the state of Michigan. We thank the Filipino-American community for their many contributions that enhance our quality of life in Michigan and we encourage all citizens to do the same.

The question being on the adoption of the resolution,

Rep. Stamas moved that consideration of the resolution be postponed for the day. The motion prevailed.

Third Reading of Bills

House Bill No. 5472, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2 and 35 (MCL 552.602 and 552.635), as amended by 2009 PA 193, and by adding section 36.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 464

Yeas—108

Genetski Abed Lane Roberts Glardon Banks Lauwers Robinson Barnett Goike LaVoy Rogers Bolger Graves Leonard Rutledge **Brinks** Greimel Lori Santana Brown Haines Lund Schmidt Brunner Haugh Lyons Schor Bumstead Haveman MacGregor Segal Heise MacMaster Callton Shirkey Hobbs Cavanagh McBroom Singh Clemente Hooker McCann Slavens Cochran Hovey-Wright McCready Smiley Cotter Howrylak McMillin Somerville Crawford Irwin Muxlow Stallworth Jacobsen Dalev Nathan Stamas Jenkins Darany Nesbitt Stanley O'Brien Switalski Denby Johnson Dianda Kandrevas Oakes Talabi Outman Tlaib Dillon Kelly Kesto Driskell Pagel Townsend Durhal Kivela Pettalia VerHeulen Knezek Victory Faris Phelps Farrington Kosowski Poleski Walsh Forlini Kowall Potvin Yanez Kurtz Yonker Foster Price Franz LaFontaine Pscholka Zemke Geiss Lamonte Rendon Zorn

Nays—0

In The Chair: Cotter

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 2 (MCL 552.602), as amended by 2009 PA 193, and by adding section 35a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5463, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 6 and 7 (MCL 722.716 and 722.717), section 6 as amended by 2000 PA 31 and section 7 as amended by 2009 PA 235.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 465

Yeas—106

Abed Genetski Lane Banks Glardon Barnett Goike Bolger Graves **Brinks** Greimel Lori Brown Haines Lund Brunner Haugh Bumstead Haveman Callton Heise Cavanagh Hobbs Clemente Hooker Cochran Hovey-Wright Cotter Howrylak Crawford Irwin Jacobsen Daley Darany **Jenkins** Denby Johnson Dianda Kandrevas Dillon Kelly Pagel Driskell Kesto Durhal Kivela Faris Knezek Farrington Kosowski Forlini Kowall Price Foster Kurtz Rendon Franz LaFontaine Geiss Lamonte

Roberts Lauwers Rogers Rutledge LaVoy Leonard Santana Schmidt Schor Lyons Segal MacGregor Shirkey MacMaster Singh McCann Slavens McCready Smiley McMillin Somerville Muxlow Stallworth Nathan Stamas Nesbitt Stanley O'Brien Switalski Oakes Talabi Outman Tlaib Townsend Pettalia VerHeulen Phelps Victory Poleski Walsh Potvin Yanez Yonker Pscholka Zemke Zorn

Navs-2

McBroom

Robinson

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5464, entitled

A bill to provide for genetic testing in certain paternity cases; and to prescribe the duties and responsibilities of certain state departments, agencies, and officers.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 466

Yeas—105

Abed Banks Barnett Bolger Brinks Brown Brunner Bumstead Callton Cavanagh Clemente Cochran Cotter Crawford Daley Darany Denby Dianda Dillon Driskell Durhal Faris Farrington Forlini Foster Franz Geiss

Genetski Glardon Goike Graves Greimel Haines Haugh Haveman Heise Hobbs Hooker Hovey-Wright Howrylak Jacobsen Jenkins Johnson Kandrevas Kellv Kesto Kivela Knezek Kosowski Kowall Kurtz LaFontaine Lamonte

Lauwers LaVoy Leonard Lori Lund Lyons MacGregor MacMaster McCann McCready McMillin Muxlow Nathan Nesbitt O'Brien Oakes Outman Pagel Pettalia Phelps Poleski Potvin Price Pscholka Rendon

Lane

Rogers Rutledge Santana Schmidt Schor Segal Shirkey Singh Slavens Smiley Somerville Stallworth Stamas Stanley Switalski Talabi Tlaib Townsend VerHeulen Victory Walsh Yanez Yonker Zemke Zorn

Roberts

Nays—3

Irwin McBroom Robinson

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5473, entitled

A bill to amend 2012 PA 159, entitled "Revocation of paternity act," by amending section 13 (MCL 722.1443). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 467

Yeas—106

Abed	Genetski	Lauwers	Roberts
Banks	Glardon	LaVoy	Rogers
Barnett	Goike	Leonard	Rutledge
Bolger	Graves	Lori	Santana
Brinks	Greimel	Lund	Schmidt

Brown Haines Haugh Brunner Haveman Bumstead Callton Heise Hobbs Cavanagh Clemente Hooker Cochran Hovey-Wright Howrylak Cotter Crawford Jacobsen Daley **Jenkins** Darany Johnson Denby Kandrevas Dianda Kelly Dillon Kesto Driskell Kivela Durhal Knezek Faris Kosowski Kowall Farrington Forlini Kurtz Foster LaFontaine Franz Lamonte Geiss Lane

MacGregor MacMaster McBroom McCann McCready McMillin Muxlow Nathan Nesbitt O'Brien Oakes Outman Pagel Pettalia Phelps Poleski Potvin Price Pscholka Rendon

Lyons

Slavens Smiley Somerville Stallworth Stamas Stanley Switalski Talabi Tlaib Townsend VerHeulen Victory Walsh Yanez Yonker Zemke Zorn

Rendon

Roberts

Rogers Rutledge

Schmidt

Schor

Segal

Singh

Shirkey

Slavens

Smiley

Somerville

Schor

Segal

Singh

Shirkey

Nays-2

Irwin Robinson

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5511, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6458 (MCL 600.6458), as amended by 2002 PA 429.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 468 Yeas—105

Abed Genetski Lamonte Banks Glardon Lane Goike Barnett Lauwers Bolger Graves LaVoy **Brinks** Greimel Leonard Brown Haines Lori Brunner Haugh Lund Haveman Bumstead Lyons Heise Callton MacGregor Cavanagh Hobbs MacMaster Clemente Hooker McBroom Hovey-Wright Cochran McCann

Cotter Howrylak Irwin Crawford Daley Jacobsen **Jenkins** Darany Denby Johnson Dianda Kandrevas Dillon Kelly Kesto Driskell Durhal Kivela Faris Knezek Farrington Kosowski Kowall Forlini Foster Kurtz Franz LaFontaine Geiss

McCready McMillin Muxlow Nesbitt O'Brien Oakes Outman Pagel Pettalia Phelps Poleski Potvin Price Pscholka Stallworth
Stamas
Stanley
Switalski
Talabi
Tlaib
Townsend
VerHeulen
Victory
Walsh
Yanez
Yonker
Zemke
Zorn

Nays—3

Nathan Robinson Santana

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5512, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57 and 57g (MCL 400.57 and 400.57g), as amended by 2011 PA 131.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 469 Yeas—94

Goike Abed Lamonte Bolger Graves Lane **Brinks** Greimel Lauwers Brown Haines LaVoy Brunner Haugh Leonard Bumstead Haveman Lori Callton Heise Lund Cavanagh Hobbs Lyons Clemente Hooker MacGregor Cochran MacMaster Hovey-Wright Cotter Howrylak McBroom Crawford Irwin McCann Daley Jacobsen McCready Denby Jenkins McMillin Dianda Muxlow Johnson Dillon Kandrevas Nesbitt Driskell Kelly O'Brien Durhal Kesto Oakes Farrington Kivela Outman

Potvin Price Pscholka Rendon Rogers Rutledge Schmidt Segal Shirkey Slavens Smiley Somerville Stallworth Stamas Stanley Switalski Townsend VerHeulen Victory

Forlini Knezek Pagel Walsh Foster Kosowski Pettalia Yanez Kowall Franz Phelps Yonker Genetski Kurtz Poleski Zorn Glardon LaFontaine

Nays—14

BanksGeissSantanaTalabiBarnettNathanSchorTlaibDaranyRobertsSinghZemke

Faris Robinson

In The Chair: Cotter

Franz

The House agreed to the title of the bill.

House Bill No. 5465, entitled

A bill to create the summary support and paternity act; to establish a procedure for determining paternity and support; and to prescribe the duties and responsibilities of certain state departments and agencies.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 470 Yeas—104

Abed Geiss Lane Roberts Banks Genetski Lauwers Rogers Barnett Glardon LaVoy Rutledge Bolger Goike Leonard Santana **Brinks** Graves Lori Schmidt Brown Greimel Lund Schor Haines Lyons Segal Brunner MacGregor Shirkey Bumstead Haugh Callton Haveman MacMaster Singh Heise Slavens Cavanagh McCann Clemente Hobbs McCready Smiley Cochran Hooker Somerville McMillin Cotter Hovey-Wright Muxlow Stallworth Jacobsen Crawford Nathan Stamas Daley **Jenkins** Nesbitt Stanley Darany Johnson O'Brien Switalski Denby Kandrevas Oakes Talabi Dianda Kelly Outman Tlaib Dillon Kesto Pagel Townsend Driskell Kivela Pettalia VerHeulen Durhal Knezek Phelps Victory Poleski Walsh Faris Kosowski Kowall Yanez Farrington Potvin Forlini Yonker Kurtz Price Foster Pscholka Zemke LaFontaine

Lamonte

Rendon

Zorn

Nays—4

Howrylak Irwin McBroom Robinson

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Education, by Rep. Lyons, Chair, reported

House Bill No. 5669, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1527 (MCL 380.1527), as added by 1995 PA 289.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Knezek, Brinks, Lamonte and Abed

Nays: None

The Committee on Education, by Rep. Lyons, Chair, reported

House Bill No. 5793, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2014 PA 208

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Knezek, Brinks, Lamonte and Abed

Nays: None

The Committee on Education, by Rep. Lyons, Chair, reported

House Resolution No. 301.

A resolution to memorialize the Congress and the President of the United States to enact legislation that would fund state Pay-It-Forward college financing pilot programs.

(For text of resolution, see House Journal No. 15, p. 150.)

With the recommendation that the resolution be referred to the Committee on Michigan Competitiveness.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Knezek, Brinks, Lamonte and Abed

Nays: None

The recommendation was concurred in and the resolution was referred to the Committee on Michigan Competitiveness.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Education, was received and read:

Meeting held on: Wednesday, September 17, 2014

Present: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Knezek, Brinks, Lamonte and Abed

Absent: Reps. Lipton and Stallworth Excused: Reps. Lipton and Stallworth

The Committee on Commerce, by Rep. Foster, Chair, reported

House Bill No. 5606, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 14 (MCL 445.1574), as amended by 2010 PA 141.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Oakes, Driskell and Yanez

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Foster, Chair, of the Committee on Commerce, was received and read: Meeting held on: Wednesday, September 17, 2014

Present: Reps. Foster, Zorn, Haines, Schmidt, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Oakes, Driskell and Yanez

Second Reading of Bills

Senate Bill No. 915, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 257 (MCL 257.257), as amended by 1992 PA 309.

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 916, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 222, 229, and 233 (MCL 257.217, 257.222, 257.229, and 257.233), section 217 as amended by 2012 PA 498, section 222 as amended by 2004 PA 493, section 229 as amended by 1988 PA 276, and section 233 as amended by 2006 PA 599.

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 917, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 238 (MCL 257.238).

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 918, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 241.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Transportation and Infrastructure (for amendments, see House Journal No. 63, p. 1666),

The amendments were adopted, a majority of the members serving voting therefor.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5390, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4012 (MCL 600.4012), as amended by 2012 PA 304.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Commerce,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Cotter moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Cotter moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5391, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 7 (MCL 408.477), as amended by 2012 PA 30.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Commerce,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. McCready moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5785, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1k of chapter IX (MCL 769.1k), as amended by 2006 PA 655.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Walsh moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Clemente moved to amend the bill as follows:

1. Amend page 2, line 9, after "(iii)" by striking out "ANY" and inserting "UNTIL 27 MONTHS AFTER THE DATE THE AMENDATORY ACT THAT ADDED SUBSECTION (7) IS ENACTED INTO LAW, ANY".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Walsh moved to amend the bill as follows:

1. Amend page 2, line 9, after "COSTS" by striking out the balance of the line through "COURT," on line 10 and inserting "WITHOUT SEPARATELY CALCULATING THOSE COSTS INVOLVED IN THE PARTICULAR CASE.".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Irwin moved to amend the bill as follows:

1. Amend page 4, following line 7, by inserting:

"(10) A DEFENDANT SHALL NOT BE IMPRISONED, JAILED, OR INCARCERATED FOR THE NONPAYMENT OF COSTS ORDERED UNDER THIS SECTION UNLESS THE COURT DETERMINES THAT THE DEFENDANT HAS THE RESOURCES TO PAY THE ORDERED COSTS AND HAS NOT MADE A GOOD-FAITH EFFORT TO DO SO."

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Walsh moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5649, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16221a and 20165a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Health Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Jenkins moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 991, entitled

A bill to authorize access to and use of experimental treatments for patients with an advanced illness; to establish conditions for use of experimental treatment; to prohibit sanctions of health care providers solely for recommending or providing experimental treatment; to clarify duties of a health insurer with regard to experimental treatment authorized under this act; to prohibit certain actions by state officials, employees, and agents; and to restrict certain causes of action arising from experimental treatment.

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5793, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2014 PA 208.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Education,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Lyons moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5606, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 14 (MCL 445.1574), as amended by 2010 PA 141.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Commerce,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Nesbitt moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Stamas moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 17:

1														
House Bill No	s. 5797	5799	5800	5801	5802	5803	5804	5805	5806	5807	5808	5809	5810	5811
	5812	5813	5814											
Senate Bill No	s. 1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070
	1071	1072	1073	1075										

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Crawford, Chair, reported

House Bill No. 5419, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16336, 17901, 17905, and 17906 (MCL 333.16336, 333.17901, 333.17905, and 333.17906), as added by 2006 PA 54.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Crawford, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Stanley, Dianda, Nathan and Schor

Nays: None

The Committee on Regulatory Reform, by Rep. Crawford, Chair, reported

House Bill No. 5798, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 105, 525, and 609 (MCL 436.1105, 436.1525, and 436.1609), section 105 as amended by 2005 PA 320, section 525 as amended by 2013 PA 236, and section 609 as amended by 2014 PA 47, and by adding section 914a.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Crawford, McBroom, Denby, LaFontaine, Rendon, Yonker, Kesto, Haugh, Abed, Stanley, Dianda, Nathan and Schor

Nays: None

The Committee on Regulatory Reform, by Rep. Crawford, Chair, reported

Senate Bill No. 1017, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 7 (MCL 205.427), as amended by 2012 PA 325.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Crawford, Denby, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Stanley, Dianda, Nathan and Schor Navs: None

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read: Meeting held on: Tuesday, September 16, 2014

Present: Reps. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda, Nathan and Schor

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

Senate Bill No. 113, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 497.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Farrington, Genetski, Cotter, Lyons, Price, Somerville, Kelly, Barnett, Switalski, Haugh, LaVoy and Townsend Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, September 17, 2014

Present: Reps. Farrington, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Switalski, Haugh, LaVov and Townsend

Absent: Rep. O'Brien Excused: Rep. O'Brien

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

Senate Bill No. 969, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3805 (MCL 600.3805). Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, Callton, O'Brien, Kesto, Oakes, Kivela and Banks

Nays: Rep. Robinson

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read: Meeting held on: Wednesday, September 17, 2014

Present: Reps. Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson, Kivela and Banks

The Committee on Financial Services, by Rep. Callton, Chair, reported

House Bill No. 5412, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4111. With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lane, Lamonte and Oakes

Nays: None

The Committee on Financial Services, by Rep. Callton, Chair, reported

House Bill No. 5413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 315a and 376a (MCL 750.315a and 750.376a), as amended by 2003 PA 217.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lane, Lamonte and Oakes

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Financial Services, was received and read: Meeting held on: Wednesday, September 17, 2014

Present: Reps. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lane, Lamonte and Oakes

Absent: Rep. Nathan Excused: Rep. Nathan

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5444, entitled

A bill to amend 2008 PA 525, entitled "Foster care trust fund act," by amending the title and sections 1, 2, 3, 4, 5, 6, and 10 (MCL 722.1021, 722.1022, 722.1023, 722.1024, 722.1025, 722.1026, and 722.1030) and by adding section 7a; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5743, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 24 of chapter X (MCL 710.24), as amended by 2012 PA 614.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5744, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 2009 PA 239.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5745, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1 and 2a of chapter XIIA (MCL 712A.1 and 712A.2a), section 1 as amended by 2012 PA 541 and section 2a as amended by 2011 PA 226.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5746, entitled

A bill to amend 2011 PA 225, entitled "Young adult voluntary foster care act," by amending section 29 (MCL 400.669). Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Wednesday, September 17, 2014

Present: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Daley, Chair, of the Committee on Agriculture, was received and read: Meeting held on: Wednesday, September 17, 2014

Present: Reps. Daley, Denby, Kurtz, Glardon, Johnson, McBroom, Outman, Rendon, Victory, Lauwers, Pagel, Brunner, Smiley, Hovey-Wright, LaVoy, Geiss and Talabi

Notices

Pursuant to Rule 41, the Speaker has made the following referral: **House Bill No. 5807** referred to the Committee on Criminal Justice.

Introduction of Bills

Rep. Leonard introduced

House Bill No. 5815, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 51 of chapter X (MCL 710.51), as amended by 1996 PA 409.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Irwin introduced

House Bill No. 5816, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Brinks, Dillon, Lamonte, Driskell, Abed, Hovey-Wright, Darany, Schor, Brown, McCann, Kandrevas, Slavens, Yanez, Cavanagh, Faris, Lane, Forlini, Barnett, Zemke, Roberts, Tlaib, Irwin, Switalski, Knezek, Singh, Pagel, Yonker, Muxlow, LaVoy, Dianda, Cochran, Clemente, Howrylak and Kosowski introduced

House Bill No. 5817, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 277. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Pettalia, Rendon, Potvin, Johnson, Schmidt, Bumstead, Somerville, Franz, VerHeulen, Outman, Kivela and Dianda introduced

House Bill No. 5818, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111 (MCL 324.40111), as amended by 2012 PA 340.

The bill was read a first time by its title and referred to the Committee on Natural Resources.

Reps. Banks, Barnett, Singh, Talabi, Durhal, Zemke, Stallworth, Tlaib, Faris, Darany, Schor, Lamonte, Knezek, Townsend, Kosowski, Oakes and Nathan introduced

House Bill No. 5819, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on

behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2010 PA 313.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Banks, Barnett, Talabi, Durhal, Zemke, Stallworth, Tlaib, Faris, Darany, Schor, Lamonte, Knezek, Townsend, Kosowski, Oakes and Nathan introduced

House Bill No. 5820, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, and 1321 (MCL 600.1304, 600.1312, and 600.1321), sections 1304 and 1321 as amended by 2004 PA 12 and section 1312 as amended by 2005 PA 6, and by adding sections 1301c, 1310a, and 1310b.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Rendon, Kurtz and Potvin introduced

House Bill No. 5821, entitled

A bill to adopt an official poem of the state of Michigan.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Rendon, MacGregor, Price, Pscholka, Pettalia, Franz, Nesbitt, Glardon, Yonker, Lyons, Bumstead, Hooker, Victory, Schmidt and Knezek introduced

House Bill No. 5822, entitled

A bill to amend 1895 PA 161, entitled "An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor," by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

The bill was read a first time by its title and referred to the Committee on Local Government.

Rep. Lund introduced

House Bill No. 5823, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 17. The bill was read a first time by its title and referred to the Committee on Insurance.

Rep. Kurtz moved that the House adjourn.

The motion prevailed, the time being 3:20 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Thursday, September 18, at 12:00 Noon.

GARY L. RANDALL Clerk of the House of Representatives